



Department of Defense

DIRECTIVE

NUMBER 1205.5

April 22, 2004

ASD(RA)

SUBJECT: Transfer of Members Between Reserve and Regular Components of the Military Services

- References: (a) DoD Directive 1205.5, "Transfer of Members Between Reserve and Regular Components of the Military Services," April 10, 1995 (hereby canceled)
- (b) Sections 513, 651, 716, 10145, 10146, 10149, 10150, 12103-12104, 12108, 12213, and 12645 of title 10, United States Code
 - (c) Sections 451 and 454 of title 50, Appendix, United States Code
 - (d) DoD Directive 1300.4, "Inter-Service Transfer of Commissioned Officers," November 15, 1996
 - (e) through (h), see enclosure 1

1. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to update DoD policy and responsibilities on the transfer of members to or between the Reserve components of the Military Services under reference (b) to provide greater flexibility to the Military Services when they effect inter-component and inter-Service transfers, and expand transfer policy to include transfer to and from Regular and Reserve components of the Military Services.

2. APPLICABILITY AND SCOPE

This Directive:

2.1. Applies to the Office of the Secretary of Defense and the Military Departments. The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard (by agreement with the Department of Homeland Security when it is not operating as a Military Service in the Navy).

2.2. Applies to all military personnel other than retired personnel.

2.3. Does not apply to members of the Army National Guard or the Air National Guard who are ordered to or relieved from active duty. Sections 451 and 454 of title 50, Appendix, U.S.C. (reference (c)) applies in such cases.

3. POLICY

3.1. DoD policy is as follows:

3.1.1. Transfers When There is a Remaining Military Service Obligation (MSO) Under Section 651 of 10 U.S.C. (reference (b)). Policy for the inter-Service transfer of commissioned officers is in DoD Directive 1300.4 (reference (d)). A Military Service, or two Military Services, in the case of an inter-Service transfer, other than those governed by reference (d), may approve the transfer of a Service member who has a remaining MSO, if any of the following criteria are met:

3.1.1.1. The Service member's specialty exceeds the manpower requirements of the current Service or component and is needed by the gaining Service or component; the Service member's special experience or professional, educational, or technical skills are of greater value to the gaining Service or component than they are to the current Service or component.

3.1.1.2. The gaining and losing Services or components approve the transfer, or, where the losing Service or component disapproves the transfer request, the disapproval is superseded by the following:

3.1.1.2.1. The Secretary of the Military Department concerned, when both Services or components are in the same Military Department; or

3.1.1.2.2. The Under Secretary of Defense for Personnel and Readiness when the components are in different Military Departments. The Secretary of Homeland Security shall be consulted during the decision process for members of the U.S. Coast Guard.

3.1.2. Transfer When There is No Remaining MSO. The transfer of a Service member, with no MSO under Section 651 of 10 U.S.C. (reference (b)) other than transfers of a Service member covered by reference (d), may be made if both the gaining and losing Services or components concur with the transfer.

3.1.3. Conditions for Transfer. Under this Directive, a transfer is the movement from one component to another, discharge and subsequent enlistment, or appointment in another Service or component in 24 hours. Transfers are subject to the following conditions:

3.1.3.1. Discharge and subsequent enlistment or appointment shall be accomplished without interrupting the continuity of the member's military service. The total military service accrued as of the date of transfer shall be credited.

3.1.3.2. Discharge for transfer under this Directive shall not constitute release from or fulfillment of the MSO established by Section 651 of 10 U.S.C. (reference (b)). Additional service performed after transfer is completed shall be counted toward fulfillment of the MSO.

3.2. Exceptions to and limitations of the DoD policies in paragraph 3.1. through subparagraph 3.1.3.2., above, are as follows:

3.2.1. A Service member who has incurred a financial obligation or received an incentive payment for the current term of enlistment or appointment must honor the conditions of the incentive or financial obligation in full or refund the unearned portion of the incentive or financial obligation, according to regulations of the Secretary concerned.

3.2.2. A Service member who has no remaining MSO under Section 651 of 10 U.S.C. (reference (b)), shall complete any obligation for service incurred by contract or agreement with the Service member's current Service or component unless the current Service or component waives the obligation.

3.2.3. A Service member of the Army National Guard or the Air National Guard may be released from the National Guard for transfer to another Service or component only with the consent of the governor or other authority of the State, commonwealth, territory, or the District of Columbia Sections 322 - 324 of title 32 U.S.C. (reference (e)) applies in such cases.

3.2.4. Service transfers of Reserve members shall be to a regular component or to a Reserve category of equal or greater mobilization potential. That requirement may be waived when the Secretaries concerned concur.

3.2.5. A commissioned officer shall not be transferred from one Service or component and appointed in another Service or component with a higher rank or precedence than the rank or precedence held on the day before transfer.

4. RESPONSIBILITIES

4.1. The Under Secretary of Defense for Personnel and Readiness shall:

4.1.1. Monitor compliance with this Directive.

4.1.2. Ensure that the Director, Defense Manpower Data Center shall be responsible for providing monthly automated match reports, extracted from the Reserve

Component Common Personnel Data System (RCCPDS) (reference (f)) and the automated extracts of active duty military personnel records under DoD Instruction 1336.5 (reference (g)), to all components of the Military Services.

4.2. The Secretaries of the Military Departments shall make request for transfers or ensure that the member concerned shall make request for transfers and shall:

4.2.1. Indicate their concurrence or nonconcurrence in the proposed transfer.


4.2.2. Accomplish transfers when the proposed transfer conforms to the policy in section 3., above, and is acceptable to both the gaining and the losing Departments.

5. INFORMATION REQUIREMENTS

The report described at subparagraph 4.1.2., above, is exempt from licensing in accordance with Chapter 4, paragraph C4.4.2. of DoD 8910.1-M, reference (h).

6. EFFECTIVE DATE

This Directive is effective immediately.


Paul Wolfowitz
Deputy Secretary of Defense

Enclosures - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) Sections 322-324 of title 32, United States Code
- (f) DoD Instruction 7730.54, "Reserve Component Common Personnel Data System (RCCPDS)," March 15, 1999
- (g) DoD Instruction 1336.5, "Automated Extracts of Active Duty Personnel Records," May 2, 2001
- (h) DoD 8910.1-M, "DoD Procedures for Management Information Requirements," June 1998